IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 207 of 2007 (S/B)

Virendra Kumar Verma s/o Late Jagat Singh Verma,
Range Officer, Bhadriguard Range,
Mussoorie Forest Division,
Mussoorie, District Dehradun. **……** Petitioner

Versus

1. State of Uttarakhand through Secretary Forest,
   Civil Secretariat, Uttarakhand, Dehradun.
2. Chief Conservator of Forests,
   Human Resource Development and Personal Management,
   Uttarakhand, Dehradun.
3. Conservator of Forest, Yamuna Circle,
   Uttarakhand, Dehradun.
4. Divisional Forest Officer,
   Mussoorie Forest Division, Mussoorie,
   District Dehradun. **……** Respondents

…….

Sri Ramji Srivastava, Advocate for the petitioner.
Sri J.P.Joshi, Chief Standing Counsel for the respondents.

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble J.C.S.Rawat, J.

RAJEEV GUPTA, C. J. (Oral)

Sri Ramji Srivastava, Advocate for the petitioner.

Sri J.P.Joshi, Chief Standing Counsel for the respondents.

They are heard.

2. Sri J.P.Joshi, the learned Chief Standing Counsel for the respondents has raised a preliminary objection about the maintainability of the writ petition on the ground that the petitioner has an alternative efficacious remedy of filing a claim petition before the Public Services Tribunal.

3. Sri Ramji Srivastava, the learned counsel for the petitioner could not demonstrate as to how the alternative remedy of filing the claim petition before the Public Services Tribunal is not efficacious in the present case.

4. In this view of the matter and following the Division Bench decisions of this Court in the cases of **Bhuwan Chandra Pandey and others Vs. State of Uttaranchal and others** reported in **2006 (2) U.D. 439** and **Nanda Ballabh Pant Vs. State of Uttaranchal and others (W.P.No. 257 (S/B) 2005),** we decline to exercise our discretionary jurisdiction under Article 226 of the Constitution of India.

5. The writ petition, therefore, is dismissed with the liberty to the petitioner to avail the alternative remedy of filing a claim petition before the Public Services Tribunal for the redressal of the petitioner's grievances projected in this writ petition.

(J.C.S.Rawat , J.) 09.08.2007

(Rajeev Gupta, C. J.) 09.08.2007

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